

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

<div>IN RE:</div> <div>OFFICE OF CONSUMER ADVOCATE,</div> <div>Complainant,</div> <div>vs.</div> <div>AT&amp;T COMMUNICATIONS OF THE MIDWEST, INC.,</div> <div>Respondent.</div>	<div>DOCKET NO. FCU-03-37</div>
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**ORDER GRANTING MOTION TO CONTINUE**

(Issued February 16, 2004)

On May 27, 2003, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed with the Utilities Board (Board) a petition for a proceeding to impose civil penalties against AT&T Communications of the Midwest, Inc. (AT&T), pursuant to Iowa Code § 476.103 (2003), for an alleged violation of the Board's slamming rules.

On January 20, 2004, the Board issued an order docketing Consumer Advocate's petition as a formal proceeding, identified as Docket No. FCU-03-37, denying AT&T's motion to dismiss the petition, and requesting that the parties file a status report with the Board.

On February 9, 2004, both parties filed status reports as requested by the Board's order of January 20, 2004. AT&T also filed a motion to continue this matter until February 23, 2004, to allow the parties reasonable opportunity to complete settlement negotiations.

The Board has reviewed the status reports and AT&T's request and finds that an extension of time is reasonable. Therefore, the Board will delay further action in this matter until February 23, 2004, as requested.

**IT IS THEREFORE ORDERED:**

The motion to continue filed by AT&T Communications of the Midwest, Inc., on February 9, 2004, is granted and further action in this matter is delayed until February 23, 2004.

**UTILITIES BOARD**

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Sharon Mayer  
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 16<sup>th</sup> day of February, 2004.